

UNITED STATES DISTRICT COURT
for the
District of Arizona

DOA
6-3-19

United States of America)
v.)
Juan Martinez-Arellano,)
a.k.a.: Jose Juan Martinez-Arellano,)
(A087 451 015))
Defendant)

) Case No. 19-8237 MJ

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of September 16, 2018, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

Juan Martinez-Arellano, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Del Rio, Texas, on or about July 25, 2016, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1).

I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

See Attached Statement of Probable Cause Incorporated By Reference Herein

ccb
REVIEWED BY: Charles E. Bailey Jr., P.S. for AUSA Hunter Bridges

Continued on the attached sheet.

[Signature]
Complainant's signature

Crege Carlisle,
Deportation Officer
Printed name and title

Sworn to before me and signed in my presence.

Date: June 4, 2019

[Signature]
Judge's signature

City and state: Phoenix, Arizona

John Z. Boyle,
United States Magistrate Judge
Printed name and title

STATEMENT OF PROBABLE CAUSE

I, Crege Carlisle, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On September 16, 2018, Juan Martinez-Arellano was booked into the Maricopa County Jail (MCJ) by the Maricopa County Sheriff's Office on local charges. While incarcerated at the MCJ, Martinez-Arellano was examined by Deportation Officer K. Beldad who determined him to be a Mexican citizen, unlawfully present in the United States. On that same date an immigration detainer was lodged with the MCJ. On June 3, 2019, Martinez-Arellano was released from the Arizona Department of Corrections and transported to the Florence ICE office for further investigation and processing. Martinez-Arellano was held in administrative custody until his criminal and immigration records could be obtained and his identity confirmed.
3. Immigration history checks revealed Juan Martinez-Arellano to be a citizen of Mexico and a previously deported criminal alien. Martinez-Arellano was removed from the United States to Mexico through Del Rio, Texas, on or about July 25, 2016,

pursuant to the reinstatement of an order of removal issued by an immigration official. There is no record of Martinez-Arellano in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Juan Martinez-Arellano's immigration history was matched to him by electronic fingerprint comparison.

4. Criminal history checks revealed that Juan Martinez-Arellano was convicted of Possession of Drug Paraphernalia: to wit a baggie, used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body Methamphetamine, a dangerous drug, a felony offense, on October 1, 2009, in the Superior Court of Arizona, Maricopa County. Martinez-Arellano was sentenced to eighteen (18) months of probation. Martinez-Arellano's criminal history was matched to him by electronic fingerprint comparison.

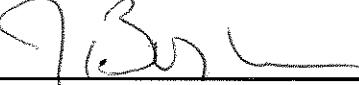
5. On June 3, 2019, Juan Martinez-Arellano was advised of his constitutional rights. Martinez-Arellano freely and willingly declined to make a statement under oath.

6. For these reasons, this affiant submits that there is probable cause to believe that on or about September 16, 2018, Juan Martinez-Arellano, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been

previously denied admission, excluded, deported, and removed from the United States at or near Del Rio, Texas, on or about July 25, 2016, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a) and enhanced by (b)(1).


Crege Carlisle,
Deportation Officer,
Immigration and Customs Enforcement

Sworn to and subscribed before me
this 4th day of June, 2019.


John Z. Boyle,
United States Magistrate Judge